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VIA ECF

Hon. George B. Daniels
United States District Judge
United States District Court
for the Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: *Sokolow, et al. v. Palestinian Liberation Organization, et al.*
Docket No. 04-CV-397 (GBD)(RLE)

Dear Judge Daniels:

I write in response to defendants' June 13 letter-application seeking various relief concerning their motion for summary judgment and their *in limine* motion. [DE 533]

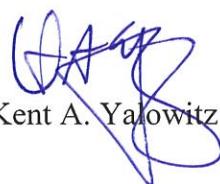
Plaintiffs do not oppose defendants' request for an extra week nor their request to file a summary judgment reply of 20 pages (on top of their 50-page opening brief and their 565-paragraph Rule 56.1 Statement) and an *in limine* reply of 36 pages (on top of their 90-page opening brief). (Plaintiffs do request that the one-week enlargement apply to the three reply briefs that plaintiffs are scheduled to file in the coming week.)

Plaintiffs' *only* disagreement with defendants arises from defendants' plan to file a Rule 56.1 "Reply Statement" (of several hundred pages) submitting new evidence and attacking the evidence cited in plaintiffs' Rule 56.1 Statement.

Local Civil Rule 56.1 calls only for an opening statement of uncontested facts by the moving party and a response by the opposing party. It does not call for a reply. Rule 56(c) permits defendants to argue anything they want, but in their brief.

The Court has wide discretion to interpret and apply the local rules. *LoSacco v. City of Middletown*, 71 F.3d 88, 92 (2d Cir.1995). Defendants have already filed a 50-page opening brief, a 90-page *in limine* brief, and a 565-paragraph Rule 56.1 Statement. They offer no good reason for the Court to grant leave to file a "Reply" 56.1 statement.

Respectfully,



Kent A. Yalowitz

cc: Brian A. Hill